

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NUMBER: 8:03-773
)	
v.)	
)	
DAVID A. OGUNWO)	<u>ORDER</u>

This matter comes before the Court on Motion of the United States for an Order continuing the trial of this case from the July 2005, term of Court until the January 2006, term of Court.

On December 29, 2003, the Defendant entered into the Pretrial Diversion Program. By so doing, prosecution was deferred for 18 months, until June 28, 2005, for the purpose of allowing the Defendant to demonstrate his good conduct and to pay restitution. According to the United States Probation Office, Mr. **OGUNWO** is in compliance with all terms and conditions of the Pretrial Diversion Program, except that he has been unable to pay the full amount of restitution due, with a balance of \$6,124.00 remaining. The Government now requests that the period of time for the Defendant's participation in the Pretrial Diversion Program be extended until January 2006, to allow the Defendant the time needed in which to repay his restitution obligation. The Court approves of this extension.

THEREFORE, IT IS ORDERED that the trial of this case is continued from the July 2005, term of Court until the January 2006, term of Court. This period of delay is approved by the Court and is, therefore, excludable under the provisions

of Title 18, United States Code, Section 3161(h)(2) of the Speedy Trial Act of 1974.

IT IS SO ORDERED.

s/ Henry M. Herlong, Jr.
HONORABLE HENRY M. HERLONG, JR.
UNITED STATES DISTRICT JUDGE

June 16, 2005

Greenville, South Carolina

I SO MOVE:

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